

Notice of Allowability	Application No.	Applicant(s)	
	10/054,247	BUZNITSKY ET AL.	
	Examiner	Art Unit	
	Lana N Le	2685	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/24/05.
2. ☒ The allowed claim(s) is/are 1-55.
3. ☒ The drawings filed on 22 January 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with applicant's representative, Shayne Short, on 06/24/05.

In the Claims:

- in claim 8, at line 2, after "signal", delete "substantially"; and after "comprises" add ---approximately---
- in claim 13, at line 2, after "signal", delete "substantially"; and after "comprises" add ---approximately---
- in claim 17, at line 2, after "clock", delete "substantially"; and after "comprises" add ---approximately---
- in claim 17, at line 3, after "clock", delete "substantially";
- in claim 17, at line 4, after "comprises", add ---approximately---
- in claim 26, at line 2, after "clock", delete "substantially"; and after "comprises" add ---approximately---
- in claim 26, at line 3, after "clock", delete ----substantially----
- in claim 26, at line 4, after "comprises", add ---approximately---
- in claim 28, at line 1, after "claim", delete "28", and add ---27---

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- in claim 29, at line 4, after "signal", delete ---substantially---;
- in claim 29, line 5, after "comprises" add ---approximately---;
- in claim 35, line 2, after "signal", delete "substantially"; and after "comprises", add ---approximately---;
- in claim 36, line 2, after "clock", delete "substantially"; and after "comprises" add ---approximately---;
- in claim 36, at line 4, before "comprises", delete "substantially"; and after "comprises", add ---approximately---;
- in claim 42, at line 2, after "signal", delete "substantially"; and after "comprises" add ---approximately---;
- in claim 43, line 2, after "clock", delete "substantially"; and after "comprises" add ---approximately---;
- in claim 43, at line 4, before "comprises", delete "substantially"; and after "comprises", add ---approximately---;
- in claim 46, at line 12, after "oscillator", delete --substantially----;
- in claim 46, line 15, after "signal that", delete ---substantially----.
- in claim 48, line 2, after "clock", delete "substantially"; and after "comprises" add ---approximately---;
- in claim 48, at line 4, before "comprises", delete "substantially"; and after "comprises", add ---approximately---;
- in claim 49, at line 2, after "oscillator", delete "substantially"; and after "comprises" add ---approximately---;

- in claim 54, at line 2, after "clock", delete "substantially"; and after "comprises" add ---approximately---;
- in claim 54, at line 4, before "comprises", delete "substantially"; and after "comprises", add ---approximately---.
- in claim 55, at line 2, after "oscillator", delete "substantially"; and after "comprises" add ---approximately---.

REASON FOR ALLOWANCE

3. The examiner's amendment above is needed put the application in condition for allowance.

4. Claims 1-55 are allowable over the cited prior art.

5. The following is an examiner's statement of reasons for allowance:

Regarding independent claims 1 and 31, they are allowable over the cited prior art for the reason cited in applicant's remarks, page 21, line 3 – page 25, line 11.

Regarding independent claims 11, 21 and 51, they are allowable for the same reason in the allowable subject matter of the last office action, page 10, paragraph 11.

Regarding independent claim 41, it is allowable for the same reason in the last office action, paragraph 12.

Regarding independent claim 46, it is allowable over the cited prior art for the reason cited in applicant's remarks, page 27, line 15 – page 31, line 25.

Regarding independent claim 51, it is allowable for the same reason in the allowable subject matter of the last office action, pages 13-14.

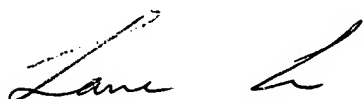
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lana N Le whose telephone number is (571) 272-7891. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in cursive script, appearing to read "Lana Le", followed by a large, stylized flourish or checkmark.

Lana Le

June 24, 2005